

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA**

U.S.A. vs. Kristi L. Easterday

Docket No. 5:16-MJ-1045-1

Petition for Action on Probation

COMES NOW Debbie W. Starling, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Kristi L. Easterday, who, upon a plea of guilty to Level 2 Driving While Impaired, in violation of 18 U.S.C. §13, assimilating N.C.G.S. 20-138.1, was sentenced by the Honorable Robert T. Numbers, II, U.S. Magistrate Judge, on August 4, 2016, to a 12-month term of probation under the conditions adopted by the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On August 9, 2016, the defendant submitted a urine specimen which proved positive for marijuana. The defendant signed an Admission of Drug Use Statement admitting that she smoked marijuana on the morning of August 9, 2016. She reported that she began smoking marijuana at the age of 17, and continues to smoke on a daily basis. She reported an extensive history of physical and mental health issues to include Post Traumatic Stress Disorder, anxiety, depression, fibromyalgia, brain injury, and chronic pain. The defendant has been under the care of a psychiatrist since 2012, and takes various medications for these ailments. However, she admitted that she does self-medicate with marijuana as it greatly reduces her symptoms. The issue of drug use was discussed with the defendant at length, and she understands she must find an alternative (legal) to address her issues. In an effort to more closely monitor and address her substance abuse needs, it is respectfully recommended that her conditions of probation be modified to include drug aftercare. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Eddie J. Smith

Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Debbie W. Starling

Debbie W. Starling
U.S. Probation Officer
310 Dick Street, Fayetteville, NC 28301
Phone: 910-483-8613
Executed On: September 9, 2016

ORDER OF THE COURT

Considered and ordered on September 12, 2016 . It is further ordered that this document shall be filed and made a part of the records in the above case.



Robert T. Numbers, II
United States Magistrate Judge